

**UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE**

IN RE GOOGLE INC. COOKIE  
PLACEMENT CONSUMER PRIVACY  
LITIGATION

Case No. 12-MD-2358 (SLR)

This Document Relates to:  
**All Actions**

**STIPULATION AND [PROPOSED] ORDER**

It is hereby stipulated and agreed, between and among Plaintiffs and Defendant Google Inc. (“Google”), by and through their respective counsel, as follows:

1. WHEREAS, on December 19, 2012, Plaintiffs filed their Consolidated Class Action Complaint (“Complaint”) (ECF No. 46);
2. WHEREAS, Plaintiff William Gourley (“Gourley”) passed away on July 26, 2015;
3. WHEREAS, Gourley’s claim is personal to him and his estate has no interest in pursuing it;
4. WHEREAS, Gourley has not been deposed or answered any discovery in this action;
5. WHEREAS, Plaintiffs and Google have reached a class settlement with respect to the claims against Google to be submitted to the Court for approval pursuant to Fed. R. Civ. P. 23.
6. WHEREAS, the parties agree that Plaintiffs should be granted leave to amend to file their Consolidated Amended Class Action Complaint, a copy of which is attached hereto as

**Exhibit A**, in order to dismiss Gourley's claims and amend Plaintiff Jose M. ("Josh") Bermudez's allegations.

THEREFORE, IT IS STIPULATED AND AGREED by the undersigned parties, through their respective counsel of record, subject to approval by the Court, that:

1. Plaintiff William Gourley's claims are dismissed from the above-captioned action;
2. Plaintiffs should be granted leave to amend to file their Consolidated Amended Class Action Complaint, a copy of which is attached hereto as **Exhibit A**.
3. Google's will not be required to answer this amended complaint under Fed. R. Civ. P. 15, and Google's Answer filed March 2, 2016 (D.I. 154) shall be deemed to be Google's answer to the proposed amended complaint attached as Exhibit A.
4. Google's agreement to this stipulation shall not be construed as, nor shall Plaintiffs contend that it is, an admission by Google that any amended allegations are true or that Plaintiff Bermudez's allegations and claims pertaining to the Internet Explorer web browser remain at issue following the mandate issued by the Third Circuit on December 21, 2015.

IT IS SO STIPULATED.

Dated: June 20, 2016

/s/ Brian Russell Strange  
Brian R. Strange  
STRANGE & BUTLER  
12100 Wilshire Blvd., Suite 1900  
Los Angeles, CA 90025  
Tel: (310) 207-5055  
bstrange@strangeandbutler.com

/s/ James Frickleton  
James Frickleton  
Bartimus, Frickleton & Robertson, P.C.  
11150 Overbrook Road, Suite 200  
Leawood, KS 66211  
Tel: (913) 266-2300  
jimf@bflawfirm.com

/s/ Stephen G. Grygiel

Stephen G. Grygiel (Del. Bar No. 4944)  
Silverman Thompson Slutkin White  
26th Floor  
201 N. Charles Street  
Baltimore, MD 21201  
Tel: (443) 909-7516  
sgrygiel@mdattorney.com

*Lead Counsel for Plaintiffs*

/s/ Michael H. Rubin

Michael H. Rubin  
Anthony J. Weibell  
Wilson Sonsini Goodrich & Rosati  
650 Page Mill Road  
Palo Alto, CA 94304-1050  
Tel: (650) 493-9300  
mrubin@wsgr.com; aweibell@wsgr.com

*Counsel for Defendant Google Inc.*

**SO ORDERED** on this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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Hon. Sue L. Robinson  
United States District Judge